



UNITED STATES PATENT AND TRADEMARK OFFICE

Technology Center 1700.

AUG 11 2004
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In re application of: :
Gary H. Knauf : DECISION ON
Serial No. 09/978,524 : PETITION
Filed: October 16, 2001 :
For: METHOD FOR EXTRUSION COATING A LIGHTWEIGHT WEB:

This is a response to the PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R. 1.181, filed June 21, 2004. The petition requests that the abandonment, as set forth in the Notice of Abandonment of June 03, 2004, for failure to timely file a proper response to the Office letter dated September 24, 2003 be withdrawn. The petitioner asserts that applicants timely filed a proper response on October 23, 2003.

DECISION

The instant request is accepted as a timely petition under 37 C.F.R. 1.181 (no fee).

A review of the petitioner's evidence provided with the instant petition indicates that the request has merit. The evidence presented is sufficient to establish that the applicants did file the proper response to the Office letter of September 24, 2003 in a timely manner. The evidence provided includes: 1) a copy of the Response to the Office letter (i.e. Restriction Requirement) of September 24, 2003 with an executed Certificate of Mailing on October 23, 2003; 2) a copy of the returned stamped postcard confirming receipt of the Response by the USPTO dated October 27, 2004; and 3) a Declaration from Mark S. Graham attesting to the timely mailing of the Response on October 23, 2003.

Therefore, the abandonment is hereby withdrawn, and the application is returned to



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pending status. The case will be forwarded to the Technical Support Staff for entering of the Response dated October 23, 2003 and then forwarded to the examiner for prompt consideration.

The Petition is **GRANTED**.

Jacqueline Stone

Jacqueline Stone, Director
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